

PROCLAMATION

BY THE

Governor of the State of Texas

No 41-195

REPRODUCED FROM THE
HOLDINGS OF THE
TEXAS STATE ARCHIVES

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I am vetoing and filing with the Secretary of State Senate Bill No. 235, passed by the recently adjourned Regular Session of the Forty-ninth Legislature.

Senate Bill No. 235 proposes an increase in the salaries of the Judges of the several State and District Courts. The proposed increases range from twenty to twenty five percent of the present salaries. The Legislature provided increases for the low bracket salaries of State employees in amounts ranging from five to fifteen percent.

It is well known that the work of many of the State employees has been increased during the war. The Railroad Commission is now supervising the production of nearly twice the amount of crude oil, which was being produced before the war. The work of the Liquor Control Board and the employees dealing with cigarettes and other special taxes has largely increased. On the contrary, litigation in the courts has decreased considerably.

I have always had a high regard for the Judiciary. In all my utterances, both public and private, I have stressed my belief that the Judiciary is the bulwark of democracy. I have sought to inspire confidence in our courts and I am proud of their achievements. I am conscious, however, of a wide spread public demand for judicial redistricting. I recommended to the Legislature in both the forty-eighth and forty-ninth regular session that attention should be given to the judicial districts in the State. In my message of January 11, 1945 I stated:

"We should have sufficient courts to enforce the law and give every citizen his day in court. Any number of courts in excess of these requirements, however, constitutes an unwarranted expense to the taxpayers. An idle court also lessens public confidence in the judicial system and there is no subject more vital to our American way of life than the preservation of complete confidence in the judiciary."

In a report made by the Committee on judicial redistricting of the State Bar of Texas the following language is used:

"The study of the subject of judicial redistricting by this Committee has revealed a number of defects in the present structure of our district court system.

First, we found that one extreme of our present arrangement of districts, one court serves a population of approximately 17,000, and disposes of an average of 150 cases of all types each year; whereas, on the other extreme, one court serves a population of approximately 116,000, and disposes of an average of 1,000 cases each year. Such unequal division of work is indefensible.

Second, some districts are so arranged territorially that the judge is required to travel well over a hundred miles to reach the most remote counties in his district and must pass through one or more other districts in doing so.

Third, some of our judges do not have enough work to occupy them more than one-third of the time; whereas, others are extremely overworked."

The Legislature has failed to redistrict the State for judicial purposes. It has failed to equalize the work between the Judge, who has 17,000 people in his district and tries 150 cases a year, with the work of a Judge, who has 116,000 people in his district and tries 1,000 cases a year.

On the contrary, it offers both of them an increase in salary. I did not originate the demand for judicial redistricting. This demand comes to me from citizens all over the State. The demand is in sufficient volume to warrant submission to the Legislature. The people still have the right of petition under our constitution and I felt duty bound to transmit the petition to the Legislature and recommend that something be done about it. Since the Legislature adjourned I have received many letters complaining of its failure to redistrict the State for judicial purposes.

I have received many letters complaining about the increase in judicial salaries provided for by S. B. 235. I am conscientiously of the opinion that if I approve this bill it will delay judicial redistricting in the next Legislature. It is my sincere belief that the present Legislature should have given the people a redistricting bill before they increased the salaries of the Judges.

I have tried to consider the matter fairly from every standpoint, including the rights of the people on one hand and consideration for many fine Judges who occupy the bench in Texas today. My conclusion is that it would lessen public confidence in the judiciary if I should approve this bill.

Senate Bill No. 235 reached my office less than ten days before the end of the Regular Session of the Forty-ninth Legislature. In accordance with the Constitution, it is being filed with the Secretary of State together with this proclamation containing my objections to the bill.

IN TESTIMONY WHEREOF I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the twenty fifth day of June, A.D., 1945.



George W. Allamore
GOVERNOR OF TEXAS

BY THE GOVERNOR:

Claude L. Bell

SECRETARY OF STATE